

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
)
Plaintiff,) CASE NO. 07-355M
)
v.)
)
FREDI ANDINO-FLORES,) DETENTION ORDER
)
Defendant.)

Original Offense charged in the Southern District of Texas:

Illegal Entry After Deportation, in violation of Title 8, U.S.C. § 1326(b)(1).

Date of Detention Hearing: July 27, 2007

The Court conducted both a detention hearing pursuant to Title 18 U.S.C. § 3142(f) and a preliminary Rule 5(c)(3) inquiry. The defendant waived his rights to a full Rule 5(c)(3)(D) hearing and the Court signed an order of transfer to the originating district court of the Southern District of Texas to answer the charges.

Alleged Violations of Supervised Release:

- (1) Driving under the Influence;
- (2) Reentry of a Deported Alien; and
- (3) Violation of special condition ordering defendant not to return or attempt to return to the United States illegally.

The Court finds that, based upon the factual findings and statement of reasons for detention hereafter set forth, no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Susan Loitz. The defendant was represented by Brian Tsuchida.


FINDING OF FACTS AND STATEMENT REASONS FOR DETENTION

- (1) Defendant is view as a risk of non-appearance, as his background and ties to the Western District of Washington are unknown and has previously been deported.
- (2) Defendant was on supervised release when the new allegations arose.
- (3) It is unknown whether an Immigration and Customs Enforcement detainer has been filed, but given the defendant's illegal status, one is expected.

It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences, or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the correctional facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 30th day of July, 2007.



MONICA J. BENTON
United States Magistrate Judge